

STATE OF INDIANA) IN THE TIPPECANOE COURT
) SS:
 COUNTY OF TIPPECANOE) CAUSE NO.

GREGORY MEDLEY

VS.

CRUZ DIAZ and
 PIER TRANSPORTATION, INC.

COMPLAINT FOR DAMAGES

Come now the Plaintiff, Gregory Medley, by counsel, Ken Nunn Law Office, and for his cause of action against the Defendants, Cruz Diaz and Pier Transportation, Inc., alleges and states as follows:

STATEMENT AND JURISDICTION

1. This is a clear liability collision in which Defendants' 2000 Vovlo tractor and attached trailer, was negligently driven by Cruz Diaz causing a collision with the vehicle driven by Plaintiff, Gregory Medley. As a result of the collision, Plaintiff has incurred medical expenses, lost wages, property damage and other special expenses in an amount to be proven at trial of this cause.

2. Jurisdiction and venue are appropriate in Tippecanoe County, Indiana, as said collision occurred within the boundaries of Tippecanoe County, State of Indiana.

FIRST CAUSE OF ACTION

NEGLIGENCE OF TRUCK DRIVER

3. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 2 above as if fully restated verbatim.

4. On or about August 2, 2022, Defendant Cruz Diaz negligently drove a tractor-trailer, causing a collision with the vehicle driven by Plaintiff, Gregory Medley.

5. Defendant Cruz Diaz had a duty to operate his tractor trailer in a safe and reasonable manner.

6. Defendant Cruz Diaz failed in the above mentioned duties and is therefore negligent.

7. Defendant Cruz Diaz's negligence was the direct and proximate cause of Plaintiffs injuries.

8. Plaintiff, Gregory Medley's, injuries and damages are permanent.

9. As a direct and proximate result of Cruz Diaz's negligence, Gregory Medley has suffered lost wages.

10. Plaintiff, Gregory Medley, has incurred medical bills for the treatment of her injuries directly resulting from this collision.

11. As a direct and proximate result of Cruz Diaz's negligence, Gregory Medley has experienced physical and mental pain and suffering, lost wages and property damage and has lost the ability to perform usual activities, resulting in a diminished quality of life.

SECOND CAUSE OF ACTION

NEGLIGENCE PER SE OF TRUCK DRIVER

12. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 11 above as if fully restated verbatim.

13. Cruz Diaz violated state and federal statutes and regulations including but not limited to Title 9 of the Indiana Code.

14. Defendant Cruz Diaz's statutory violations directly and proximately caused Plaintiff's damages and injuries.

15. Defendant Cruz Diaz is negligent per se based on these statutory and regulatory violations.

THIRD CAUSE OF ACTION

RESPONDEAT SUPERIOR OF TRUCK COMPANY

16. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 15 above as if fully restated verbatim.

17. Defendant Cruz Diaz was the employee, agent, servant, or independent contractor for Pier Transportation, Inc. Accordingly, Pier Transportation, Inc. is vicariously liable for the acts of Defendant Cruz Diaz for the causes of action above.

WHEREFORE, the Plaintiff, Gregory Medley, by counsel, Ken Nunn Law Office, demand judgment against the Defendants, Cruz Diaz and Pier Transportation, Inc., for permanent injuries in a reasonable amount to be determined at the trial of this cause, for medical expenses, lost wages, property damage and other special expenses, court costs and all other just and proper relief in the premises.

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REQUEST FOR TRIAL BY JURY

Comes now the plaintiff, by counsel, Ken Nunn Law Office, and requests that this matter be tried by jury pursuant to Trial Rule 38.

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